

McDERMOTT WILL & EMERY LLP
Stephen J. Akerley (State Bar No. 160757)
sakerley@mwe.com
Elaine M. Heal (State Bar No. 211723)
ehel@mwe.com
3150 Porter Drive
Palo Alto, CA 94304-1212
Telephone: 650.813.5000
Facsimile: 650.813.5100

Attorneys for Plaintiff, HITACHI, LTD.

ORIGINAL
FILED

JUN - 6 2005

RICHARD W. WICKONG
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

HITACHI, LTD., a Japanese corporation,

Plaintiff,

v.

PROVIEW INTERNATIONAL HOLDINGS,
LTD., a Bermuda corporation; PROVIEW
ELECTRONICS CO., LTD., a Taiwanese
corporation; and PROVIEW
TECHNOLOGY, INC., a California
corporation,

Defendants.

Case No.

ELECTRONIC CASE FILING

NOTICE OF RELATED CASES **PVT**

(Case Related to Civ. No. C 03 5792 WHA
and cases filed concurrently)

[Civil L.R. 3-12]

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA:

Pursuant to Civil L.R. 3-12, plaintiff Hitachi, Ltd. ("Hitachi") hereby gives notice that this
case is related to (1) *Top Victory Electronics, et al. v. Hitachi, Ltd.*, Case No. C 03 5792 WHA
(EMC) (dismissed on November 16, 2004); (2) *Hitachi, Ltd., a Japanese Corporation v. Amtran
Technology Co., Ltd., a Taiwanese Corporation*, filed concurrently; and (3) *Hitachi, Ltd. v.
Tatung Company, a Taiwanese corporation; and Tatung Co. of America, Inc., a California
corporation*, filed concurrently. (Cases (2) and (3) collectively, "Concurrent Related Cases").

NOTICE OF RELATED CASES

EXHIBIT

1

1 Civil L.R. 3-12(a) provides that "[a]n action is related to another action when: 1) The
2 actions concern substantially the same parties, property, transaction or event; and (2) It appears
3 likely that there will be an unduly burdensome duplication of labor and expense or conflicting
4 results if the cases are conducted before different Judges." Civil L.R. 3-12(a).

5 This case and the Concurrent Related Cases concern the same patents previously asserted
6 by Hitachi Ltd. against Top Victory Electronics (Taiwan) Co. Ltd., Envision Peripherals, Inc.,
7 TPV International (USA), Inc., Top Victory Electronics (Fujian) Co., Ltd. and TPV Electronics
8 (Fujian) Co., Ltd. Therefore, the cases share common legal and factual issues. It would, thus,
9 conserve judicial resources and promote an efficient determination of the action to have this case
10 assigned to Judge William Alsup.

11 Dated: June 6, 2005

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

14 By:   

15 Stephen J. Akerley
16 Blaine M. Heal

17 McDermott Will & Emery LLP
18 3150 Porter Drive
19 Palo Alto, CA 94304
20 Telephone: 650.813.5000
21 Facsimile: 650.813.5100

Attorneys for Plaintiff, HITACHI, LTD.

22 MPK 92314-1.017575.0688

McDERMOTT WILL & EMERY LLP
Stephen J. Akerley (State Bar No. 160757)
sakerley@mwe.com
Elaine M. Heal (State Bar No. 211723)
ehel@mwe.com
3150 Porter Drive
Palo Alto, CA 94304-1212
Telephone: 650.813.5000
Facsimile: 650.813.5100

Attorneys for Plaintiff, HITACHI, LTD.

ORIGINAL
FILED

JUN - 6 2005

RICHARD W. WIEKING
CLERK OF DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HITACHI, LTD., a Japanese corporation

Plaintiff,

v.

AMTRAN TECHNOLOGY CO., LTD., a
Taiwanese corporation,

Defendant.

Case No. 05 02301
ELECTRONIC CASE FILING

NOTICE OF RELATED CASES

(Case Related to Civ. No. C 03 5792 WHA
and cases filed concurrently)

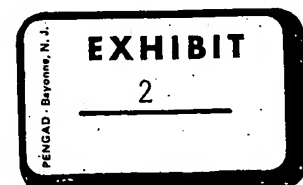
[Civil L.R. 3-12]

JCS

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA:

Pursuant to Civil L.R. 3-12, plaintiff Hitachi, Ltd. ("Hitachi") hereby gives notice that this case is related to (1) *Top Victory Electronics, et al. v. Hitachi, Ltd.*, Case No. C 03 5792 WHA (EMC) (dismissed on November 16, 2004); (2) *Hitachi, Ltd., a Japanese corporation v. Tatung Company, a Taiwanese corporation; and Tatung Co. of America, Inc., a California corporation*, filed concurrently; and (3) *Hitachi, Ltd. v. Proview International Holdings, Ltd., a Bermuda corporation; Proview Electronics Co., Ltd., a Taiwanese corporation; and Proview Technology,*

NOTICE OF RELATED CASES



1 *Inc., a California corporation., filed concurrently. (Cases (2) and (3) collectively, "Concurrent*
2 *Related Cases")*.

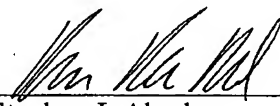
3 Civil L.R. 3-12(a) provides that "[a]n action is related to another action when: 1) The
4 actions concern substantially the same parties, property, transaction or event; and (2) It appears
5 likely that there will be an unduly burdensome duplication of labor and expense or conflicting
6 results if the cases are conducted before different Judges." Civil L.R. 3-12(a).

7 This case and the Concurrent Related Cases concern the same patents previously asserted
8 by Hitachi Ltd. against Top Victory Electronics (Taiwan) Co. Ltd., Envision Peripherals, Inc.,
9 TPV International (USA), Inc., Top Victory Electronics (Fujian) Co., Ltd. and TPV Electronics
10 (Fujian) Co., Ltd. Therefore, the cases share common legal and factual issues. It would, thus,
11 conserve judicial resources and promote an efficient determination of the action to have this case
12 assigned to Judge William Alsup.

13
14 Dated: June 6, 2005.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

15
16
17 By: 
18 Stephen J. Akerley
Elaine M. Heal

19 McDermott Will & Emery LLP
20 3150 Porter Drive
21 Palo Alto, CA 94304
Telephone: 650.813.5000
Facsimile: 650.813.5100

Attorneys for Plaintiff, HITACHI, LTD.

22 MPK 92316-1.017575.0688
23
24
25
26
27
28

McDERMOTT WILL & EMERY LLP
Stephen J. Akerley (State Bar No. 160757)
sakerley@mwe.com
Elaine M. Heal (State Bar No. 211723)
ehel@mwe.com
3150 Porter Drive
Palo Alto, CA 94304-1212
Telephone: 650.813.5000
Facsimile: 650.813.5100

Attorneys for Plaintiff, HITACHI, LTD.

ORIGINAL
FILED

JUN - 6 2005

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HITACHI, LTD., a Japanese corporation,

Plaintiff,

v.

TATUNG COMPANY, a Taiwanese
corporation; and TATUNG CO. OF
AMERICA, INC., a California corporation,

Defendants.

Case No.

05 02302
ELECTRONIC CASE FILING

NOTICE OF RELATED CASES BZ

(Case Related to Civ. No. C 03 5792 WHA
and cases filed concurrently)

[Civil L.R. 3-12]

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA:

Pursuant to Civil L.R. 3-12, plaintiff Hitachi, Ltd. ("Hitachi") hereby gives notice that this case is related to (1) *Top Victory Electronics, et al. v. Hitachi, Ltd.*, Case No. C 03 5792 WHA (EMC) (dismissed on November 16, 2004); (2) *Hitachi, Ltd., a Japanese Corporation v. Amtran Technology Co., Ltd., a Taiwanese Corporation*, filed concurrently; and (3) *Hitachi, Ltd. v. Proview International Holdings, Ltd., a Bermuda corporation; Proview Electronics Co., Ltd., a Taiwanese corporation; and Proview Technology, Inc., a California corporation.*, filed concurrently. (Cases (2) and (3) collectively, "Concurrent Related Cases").

NOTICE OF RELATED CASES

EXHIBIT

3

1 Civil L.R. 3-12(a) provides that "[a]n action is related to another action when: 1) The
2 actions concern substantially the same parties, property, transaction or event; and (2) It appears
3 likely that there will be an unduly burdensome duplication of labor and expense or conflicting
4 results if the cases are conducted before different Judges." Civil L.R. 3-12(a).

5 This case and the Concurrent Related Cases concern the same patents previously asserted
6 by Hitachi Ltd. against Top Victory Electronics (Taiwan) Co. Ltd., Envision Peripherals, Inc.,
7 TPV International (USA), Inc., Top Victory Electronics (Fujian) Co., Ltd. and TPV Electronics
8 (Fujian) Co., Ltd. Therefore, the cases share common legal and factual issues. It would, thus,
9 conserve judicial resources and promote an efficient determination of the action to have this case
10 assigned to Judge William Alsup.

11 Dated: June 6, 2005

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

14 By: 
15 _____

16 Stephen J. Akerley
Elaine M. Heal

17 McDermott Will & Emery LLP
3150 Porter Drive
18 Palo Alto, CA 94304
Telephone: 650.813.5000
19 Facsimile: 650.813.5100

20 Attorneys for Plaintiff, HITACHI, LTD., a
Japanese corporation.

21 MPK 92303-1.017575.0688

McDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
PALO ALTO

1 McDERMOTT WILL & EMERY LLP
Daniel E. Alberti (State Bar No. 68620)
2 dalberti@mwe.com
Stephen J. Akerley (State Bar No. 160757)
3 sakerley@mwe.com
Elaine M. Heal (State Bar No. 211723)
4 eheal@mwe.com
3150 Porter Drive
5 Palo Alto, CA 94304-1212
Telephone: 650.813.5000
6 Facsimile: 650.813.5100

7 McDERMOTT WILL & EMERY LLP
Joseph H. Paquin, Jr. (*Pro Hac Vice*)
8 jpaquin@mwe.com
227 West Monroe Street, Suite 4400
9 Chicago, IL 60606-5096
Telephone: 312.372.2000
10 Facsimile: 312.984.7700

11 Attorneys for Plaintiff HITACHI, LTD.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 HITACHI, LTD., a Japanese corporation,

16 Plaintiff,

17 v.

18 PROVIEW INTERNATIONAL HOLDINGS,
LTD., a Bermuda corporation; PROVIEW
19 ELECTRONICS CO., LTD., a Taiwanese
20 corporation; and PROVIEW TECHNOLOGY,
INC., a California corporation,

21 Defendants.
22

CASE NO. C 05 02305 CRB

ELECTRONIC CASE FILING

STIPULATION OF DISMISSAL

23 It is hereby stipulated by and between counsel to plaintiff, Hitachi Ltd. and counsel to
24 defendants and counterclaim plaintiffs, Proview International Holdings Ltd., Proview
25 Technology, Inc. and Proview Electronics Company Ltd, as follows:

26 1. All claims and counterclaims in the above-captioned action between the parties are
27 dismissed with prejudice.
28

STIPULATION OF DISMISSAL

1



CASE NO. C 05 02305 CRB

2. Each party will bear its own costs and attorneys' fees.

3. This Court will retain jurisdiction to enforce the Settlement Agreement between the parties, dated December 29, 2005 (including its exhibits), of which this Stipulation forms a part.

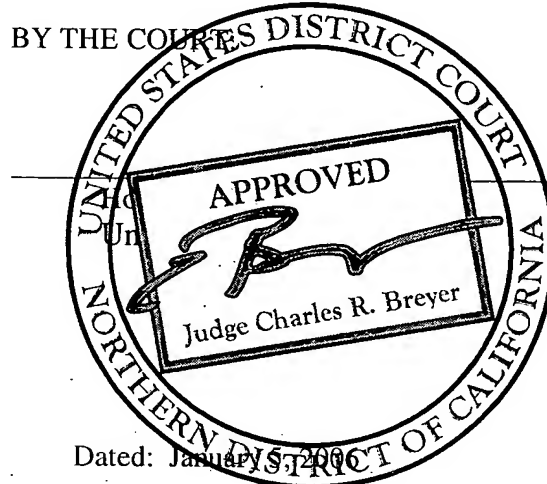
Dated: January 6, 2006

Dated: January 5, 2006

COUNSEL TO HITACHI, LTD.

STEPHEN J. AKERLEY
ELAINE HEAL
McDERMOTT WILL & EMERY LLP

By: /s/ Stephen J. Akerley
Stephen J. Akerley



Dated: January 5, 2006

COUNSEL TO PROVIEW
INTERNATIONAL HOLDINGS LTD.,
PROVIEW TECHNOLOGY, INC., PROVIEW
ELECTRONICS CO. LTD.

YITAI HU
SEAN P. DEBRUINE
AKIN GUMP STRAUSS HAUSER & FELD

By: /s/ Sean P. DeBruine
Sean P. DeBruine

DECLARATION RE: SIGNATURE PURSUANT TO GENERAL ORDER 45 § X

I, Stephen J. Akerley, declare as follows:

1. I am an attorney at the law firm of McDermott Will & Emery LLP, counsel of record for Plaintiff Hitachi, Ltd. in the action entitled *Hitachi, Ltd. v. Proview International Holdings, Ltd., et al.*, Case No. C 05 02305 CRB, pending before this Court. I am a member of good standing of the State Bar of California and am admitted to practice in the United States District Court for the Northern District of California. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I attest that the conformed signature of Sean P. DeBruine, counsel of record for Proview International Holdings, Ltd., et al. appearing in the signature block of the STIPULATION OF DISMISSAL, is Mr. DeBruine's signature, and that Mr. DeBruine has authorized me to file the STIPULATION OF DISMISSAL.

Executed on the 5th day of January, 2006 at Palo Alto, California. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ Stephen J. Akerley

MPK 102382-1.017575.0688

McDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
PALO ALTO